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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,895	10/28/2003	Takeaki Hashimoto	Q78194	4033
23373 7590 10/25/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER VO, QUANG N	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 10/25/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/693,895

Applicant(s)

HASHIMOTO, TAKEAKI

Examiner

Quang N. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/24/07</u> .   | 6) <input type="checkbox"/> Other: _____                          |

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## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

The last of claim 16 should be renumbered to claim 17.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1- 6, 8-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Schwier et al. (Schwier) (US 6,924,906).

With regard to claim 1, Schwier discloses a print system (column 1, line 6) comprising: a plurality of printers each having information identifying the printer (e.g., print server has information on printer devices, column 4, lines 24-28); a host section that transmits print data to the plurality of printers to instruct the printers to carry out printing (column 4, lines 18-28); a discharge portion to which prints from each printer are discharged (e.g., postprocessing device such as a collecting device, column 4, lines 54-63); a printer particular information providing device with which during printing, the printer provides, on each print to be discharged from the discharge portion, particular information indicating which printer has produced the print (column 5, lines 1-15).

With regard to claim 2, Schwier discloses wherein each of the printers determines a position at which the particular information is to be provided, from a size of the print data transmitted to the printer (column 5, lines 9-15).

With regard to claim 3, Schwier discloses wherein the particular information is a printed indication on a printed surface of the print, and the printer analyzes print data present around the determined particular information provided position and applies, on the basis of results of the analysis, an indication which is less noticeable than the print data present around the determined particular information provided position but which can still be visually discovered (e.g., individual information is assigned to each page..., column 5, lines 9-13).

With regard to claim 4, Schwier discloses wherein the position at which the particular information is provided varies with the printers, and each of the printers determines a position at which the particular information is to be provided on the basis

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of the information identifying the printer (e.g., whereby the page information is printed at suitable locations of the respective printed pages in printer devices 4 and 5, column 5, lines 10-12).

With regard to claim 5, Schwier discloses wherein the particular information is a printed indication on an end portion of the printed surface of the print (e.g., whereby the page information is printed at suitable locations of the respective printed pages in printer devices 4 and 5, column 5, lines 10-12).

With regard to claim 6, Schwier discloses wherein said indication comprises dots (bar code, column 5, line 9) and said print data present around the determined particular information provided position comprises data of dots present around which are printed around the dots (e.g., bar code is assigned to each page, column 5, lines 9-15).

With regard to claim 8, Schwier discloses a printer (e.g., printing system, column 4, line 11) comprising: an analyzing device analyzing print data (e.g., central print server, column 4, lines 11-12), and an indication providing device which provides an indication which is unnoticeable but can still be visually discovered, on a print to be produced, on the basis of results of the analysis (e.g., print server and printer producing bar code (dots) on printed page, column 4, line 65 – column 5, line 15).

With regard to claim 9, the subject matter is similar to claim 1. Therefore claim 9 is rejected as set forth above claim 1.

With regard to claim 10, Schwier discloses wherein the size of the print data transmitted to the printer corresponds to a size of the print to be discharged from the discharge portion (column 2, lines 36-41).

With regard to claim 11, Schwier discloses wherein the particular information indicating which printer has produced the print is printed on the each print to be discharged from the discharge portion (column 5, lines 9-13).

With regard to claim 12, Schwier discloses wherein the particular information indicating which printer has produced the print is different for each printer of the plurality of printers (e.g., whereby the page information is printed at suitable locations of the printed pages in the printer devices 4 and 5, column 5, lines 10-12).

With regard to claim 13, Schwier discloses wherein the particular information indicating which printer has produced the print is printed on different portions of the print, depending on which printer of the plurality of printers produced the print (e.g., whereby the page information is printed at suitable locations of the printed pages in the printer devices 4 and 5, column 5, lines 10-12).

With regard to claim 14, Schwier discloses wherein the particular information indicating which printer has produced the print comprises a mark which indicates which printer produced the print (e.g., bar code, column 5, lines 9-13).

With regard to claim 15, Schwier discloses wherein the mark comprises a plurality of dots and gradation values (e.g., bar code (dots), column 5, lines 9-13).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwier et al. (Schwier) (US 6,924,906) as applied to claims 1-3, 5, 6, 14 and 15 above, and further in view of Schramm et al. (Schramm) (US 6,501,564).

With regard to claim 7, Schwier differs from claim 7, in that he does not explicitly teach wherein a gradation value for the dots is a value deviating from an average value for the dot gradation value of the dots present around by about 128 gradations.

Schramm discloses a gradation value for the dots is a value deviating from an average value for the dot gradation value of the dots present around by about 128 gradations (column 4, line 45 – column 5, line 14).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Schwier to include a gradation value for the dots is a value deviating from an average value for the dot gradation value of the dots present around by about 128 gradations as taught by Schramm. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Schwier by

the teaching of Schramm to track image document from printers connected on network more effectively.

With regard to claim 16, Schwier differs from claim 16, in that he does not explicitly teach wherein each dot corresponds to a color comprising one of yellow, magenta and cyan.

Schramm discloses wherein each dot corresponds to a color comprising one of yellow, magenta and cyan (column 4, lines 45-54; column 5, lines 32-40).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Schwier to include each dot corresponds to a color comprising one of yellow, magenta and cyan as taught by Schramm. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Schwier by the teaching of Schramm to track image document from printers connected on network more effectively.

With regard to claim 17, Schwier differs from claim 17, in that he does not explicitly teach wherein each gradation value corresponds to a combination comprising colors of yellow, magenta and cyan.

Schramm discloses each gradation value corresponds to a combination comprising colors of yellow, magenta and cyan (column 5, lines 32-40).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Schwier to include each gradation value corresponds to a combination comprising colors of yellow, magenta and cyan as taught by Schramm. It would have been obvious to one of ordinary skill in the art at the time of the invention



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to have modified Schwier by the teaching of Schramm to track image document from printers connected on network more effectively.

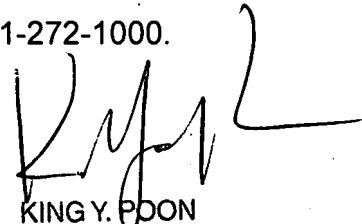
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Vo whose telephone number is 5712701121. The examiner can normally be reached on 7:30AM-5:00PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Y. Poon can be reached on 5712727440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Quang N. Vo 10/18/07  
Patent Examiner



KING Y. POON  
SUPERVISORY PATENT EXAMINER